

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-02463
Date Received: 5/11/1989
Receipt No: S007095
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN W. JONES 208-824-5513
Address: P.O. BOX 151
ALMO, ID 83312
OR
Name: BRENT JONES 208-824-5513
Address: P.O. BOX 151
ALMO, ID 83312
2. Date of Priority: SEP 06, 1957
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	25E	7	SE	NE	SW		CASSIA
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.160		
7. Total Quantity Appropriated is:
2.160 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 357.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16S	25E	7	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
							Section Acres	119.0
							Total Acres	119.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-10168

14. Remarks:
THIS WR HAS BEEN EXPANDED UNDER A43-10168
WHEN COMBINED TOGETHER CANNOT EXCEED 2.16 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 27063

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Olen W. Jones Date: 5-11-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of May 19 89
Seal

Steve Chubb
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994

59
T8230
BLM

25E.

W 40
R 25
T 16
S 7



16S.

90'

A43-02463

REPROFILMED
MAR 03 1993

7° 17'

12° 13'

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June15, 2001

Water right number: 43-2463

GLEN W JONES

PO BOX 151

ALMO ID 83312

Telephone Number: (208)824-5533

BRENT JONES

PO BOX 151

ALMO ID 83312

Telephone Number: (208)824-5533

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-11-2001 SIGNATURE: Brent Jones
Please print your name: Brent Jones

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

09/12/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-2463
NAME AND ADDRESS: BRENT JONES
GLEN W JONES
PO BOX 151
ALMO, ID 83312

SOURCE: GROUND WATER

QUANTITY: 2.16 CFS
476 AFY

USE OF THIS RIGHT WITH RIGHT 43-10168 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.16 CFS, AND A TOTAL COMBINED
VOLUME OF 608 AFA

PRIORITY DATE: 09/06/1957

POINT OF DIVERSION: T16S R25E S7 SENESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.16 CFS 476.0 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T16S R25E S7	SENW	40	T16S R25E S7	NESW	40
T16S R25E S7	SWNE	33	T16S R25E S7	NWSW	38
151 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 119 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43B

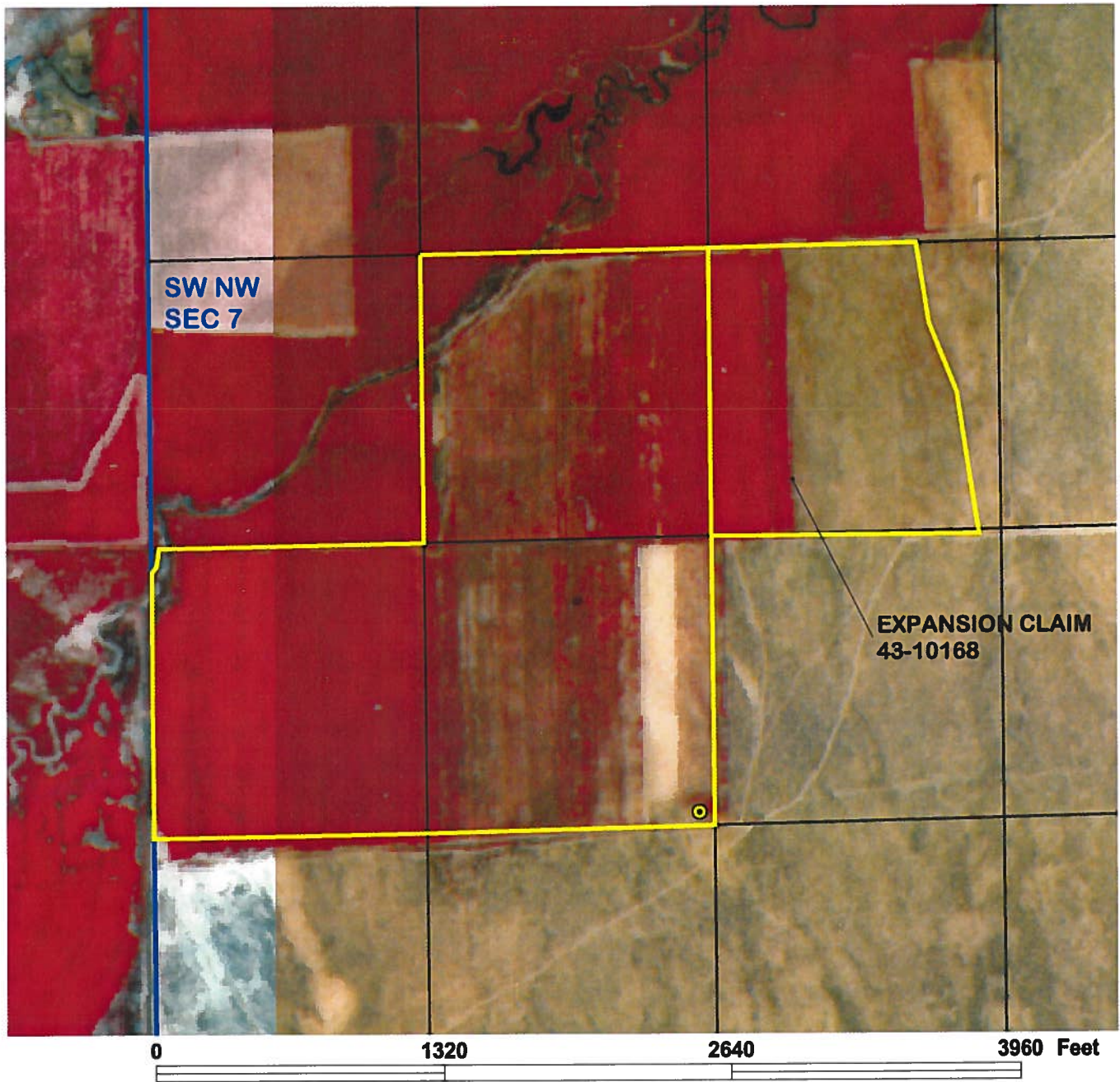
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 43-10168 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE

Idaho Department of Water Resources

**RIGHTS: 43-02463
and 43-10168**

**RECOMMENDED PLACE OF USE
TWP 16S, RNG 25E, SEC 7
Data entry on March 15, 2000**



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY**

DATA ENTRY BY VIKIE HANCOCK

CLAIM NUMBER 43-02463 DATE 3-15-2000 TRANSFER NUMBER _____
 AGENT URL CLAIMED ACRE TOTAL 119
 GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	16S	25E	7								40	40	39							119
GIS											40	40	39							119
RECOM											40	40	39							119
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP _____
 SHAPE NOS. _____

B43-POD.SHP _____
 NOS. DESCRIPTION _____

DBF TABLES UPDATED _____
 B43-DBPOU.DBF _____
 B43-DBPOD.DBF _____
 JPEG LAYOUT ☒ 43-02463

Water Right Number - R43-02463

Prefix Translation: RESEARCH

Old (D) Number - 27063

--- Last Name --- + First Name --- + Address ---

*** C - CURRENT OWNER ***
JONES

GLEN W

1 - PO BOX 151

2 -
3 -
City- ALMO
Phone - 208-824-5513

State- ID Zip- 83312

JONES

BRENT

1 - PO BOX 151
2 -
3 -
City- ALMO
Phone - 208-824-5513

State- ID Zip- 83312

--- Priority Date --- + --- Region --- + --- Stage --- + --- Status ---
09/06/1957 17 SOUTHERN L - LICENSE

Source -
GROUNDWATER

Tributary -

--- Point of Diversion ---

16S 25E 7 SE NE SW

(31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

10-31

2.160

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Consumptive Use --- + --- KW Usage ---
2.160 4-01-10 10-31 2.160 0.0

--- Place of Use ---

16S 25E 7 SE NW
16S 25E 7 NE SW
16S 25E 7 NW SW

40.0
40.0
39.0

01 IRRIGATION
01 IRRIGATION
01 IRRIGATION

(31) CASSIA
(31) CASSIA
(31) CASSIA

Total Acres: 119.0

--- Diversion Means - WELL AND PUMP

--- Non-Irrigation Use -

--- Other Rights for Same Use - A43-10168

--- Remarks ---

GEN

THIS WR HAS BEEN EXPANDED UNDER A43-10168
WHEN COMBINED TOGETHER CANNOT EXCEED 2.16 CFS.

C-18

B89
U3B

108 4768

Water right number - R43-02463

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - - +
03/15/00 VHANCOCK

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 05/11/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S007095 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag -
Notice of Error Flag -

Field Exam Notes

Field Exam Date: 03-14-2000

Claim No: VARIOUS - BRENT JONES

Agent: Vikie Hancock

I met with the claimant this date to discuss his various claims in the Almo area. It was prior to the irrigation season and so the actual field exam was limited. Mr. Jones has Almo Water Company water shares that he uses in conjunction with the water represented by Claims 43-00379, -00380 and -10164. His father, Glen Jones, is deceased and should be removed from the claims when proper documentation is received. Mr. Jones address is correct. Also see field notes on GIS layout.

Claim **A43-10164** is on two springs that are located in the SE NE Section 22. They are known as Middle and North Springs. There is a third spring, Bath Spring, that is not included as a source for this claim. Bath spring is used by Neil Durfee as stockwater and claimed as A43-10030. Bath Spring actually used to be a partially covered cement pool and admission was charged for use of the hot pool. The spring water is warm to the touch but not hot. The waters of both Middle and North springs merge a short distance from the springs and the claimant conveys the water via a ditch to a pond in the SWNE NW of Section 23. From the pond he runs a ditch to the northwest and flood irrigates around 15 acres as calculated by GIS. In 1963 and 1964 the springs were measured in response to the diminishing effects of a well drilled by King and Tracy in the SESE section 22. They measured 0.21 cfs at that time. In 1947 the springs were measured at 0.32 cfs and in 1962 the local groundwater board issued an order granting Glen Jones and Edwin Durfee a right to 0.32 cfs from Middle and North Springs with a priority date of 1878. In addition to this irrigation claim, Gary Jones has claimed winter season stockwater, Brent Jones included .07 cfs year-round stockwater in this claim and Harold Durfee has claimed rear-round stockwater of 0.07 cfs from three springs, which I presume includes Bath Spring. Harold Jones has not claimed an irrigation claim to the Middle and North springs, however Brent Durfee says that he should. My recommendation is that Brent Jones be awarded a POU of 15 acres and the proper portion of 0.32 cfs that will be determined when it is known if Mr. Durfee wishes to file an irrigation claim to the springs.

A43-00379 is based upon a decreed right to the POU claimed in the 1928 Jobe Adams Decree. The source for this claim should be changed to North Almo Creek as it was originally decreed. IDWR followed the USGS map for stream identification at claims taking but the map is in error. During my field exam with Brent, and also Gary Jones this date, they showed me the different channels that are Edwards Creek and North Almo Creeks. Claimant's points of diversion are definitely on the stream known as North Almo or the North Fork, which is a manmade channel diverted from Almo Creek in Section 4, T15S, R24E. Where the North Almo channel crosses under the Elba/Almo Highway

there is a weir that is used by the District 43B watermaster to measure North Almo Creek. Water users of N. Almo below this weir are: Brent Jones, Gary Jones and the May Family Trust (formerly Edna Cahoon). Waters from North Almo Creek sink upon the property of Gary Jones. Any waters that may run off enter Almo Creek. At a point in the NWNESE the two channels are very close and water from N. Almo can be injected into Edwards and vice-versa. This is done to more efficiently convey water when the flows are either very high or very low as Gary Jones has rights to both sources. I found acres irrigated that Mr. Jones had not claimed in the NESWSE and NWNWSE section 14 and which should be included in the recommendation. The full diversion rate decreed should be recommended. Mr. Jones also claimed A43-00380 for use on the same land. See below.

A43-00380 is a highwater decreed right to N. Almo Creek and should also have the claimed source changed. Half of the place of use for this decreed right was in the NWNE and NENW of section 14, which is land owned by Gary Jones. This decreed right was split by transfer #3218 wherein the point of diversion of 0.75 cfs of the 1.5 decreed was moved to section 10. This leaves a total of 0.75 cfs appurtenant to property owned by Brent Jones and diverted in section 14. Mr. Jones has an accomplished transfer of POU. Gary Jones has not as yet filed a claim to his 0.75cfs under this right.

A43-02477 is based upon a license and an accomplished transfer of place of use. There is now a pivot on the tracts. Expansion claim **A43-10167** was for an additional 58 acres irrigated with the same diversion rate because of increased efficiency of water use. I found only 38 additional acres by GIS and the irrigated acres I identified were verified by Claimant. Also, the priority date of 1970 is not substantiated in the file. 1976 ASCS photos do verify usage to as early as that date. Claimant will attempt to find proof of use in 1970.

Claim **A43-02463** agrees with the original license in place of use. The expansion of 40 acres as claimed in **A43-10168** was found to be closer to 30. The number of expanded acres was found to be represented in the 1976 ASCS photo by claimant. It appears that in 1987 the bulk of the 30 acres was more marginally irrigated than in years past. Claimant says the east half of the 40 is quite rocky. Proof of priority of the expansion has not been substantiated back to 1971, but is verified to 1976 per ASCS maps. Mr. Jones also informed me that since 1987 he has installed a pivot.

A43-11222 is a claim for an instream diversion of stockwater from Raft River that Mr. Jones filed yesterday.

State of Idaho License and Certificate of Water Right

Water License No. G-27063

Amount 2.16 c.f.s.

Water District No. _____

Priority Sept. 6, 1957.

THIS IS TO CERTIFY that

NEIL R. DURFEE

of Almo, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated September 6, 1957; that Permit No. G-27063 was issued under said application; that Certificate of Completion of works, with a carrying capacity of

2.16 second feet, was issued thereunder on July 21, 1959, showing that said works were completed on the 29 day of December, 1958; and that on the 29 day of December, 1958.

NEIL R. DURFEE

of Almo

, State of

Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation & domestic

use, under Use Permit No. G-27063 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 6689, on the 21 day of July, 1959;

The right hereby confirmed dates from September 6, 1957;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 7, T. 16 S., R. 25 E., B. McCasida County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 S.	25 E.	7	SE 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	39
			NE 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		119

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

21 day of July, 1959.

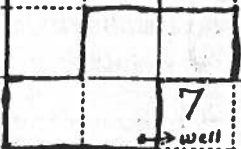
(SEAL)

State Reclamation Engineer

43-2463

43-2463

Section 7, Township 16 S., Range 25 E.B.M.



When Equal 1 Mile, Draw Plan in 1/4

27002

MAP - APPLICATION FOR PERMIT

42-24163

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-27063

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Neil R. Durfee2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the NE 1/4 of Section 7T. 16 S R. 25 E., B.M. County of Cassia4. Describe works as they exist, giving dimensions and capacities of same: Well = 20.5' x 16" d.h = 47' lift - 110' (reported)40 hp. Fairbanks Morse Motor # PV 3288Fairbanks Morse Turbine P.M. - 1828Delivers to South thru 7" pipe into Concrete box
ditch heading to fields by gravity.5. Water is used for: Irrigation and domestic6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4, SE 1/4, NE 1/4 of Sec. 7, T. 16 S., R. 25 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Mr. Durfee along
Crops are hay & grainWater measured over 2' Cig. weir close to
pump.

This examination was made on the

15

day of

May1957

(Signed)

E. H. Thompson

43-02463